

# Exhibit C (corrected)

To Plaintiff's Motion for Statutory Restraining Order and  
Preliminary Injunction Pursuant to 7 U.S.C. § 13a-1 (Dkt. 23)

**Declaration of Devin Malinowski Pursuant to 28 U.S.C. § 1746**

I, Devin Malinowski, hereby make the following declaration based upon my personal knowledge:

1. I am a Digital Forensics Investigator for the Commodity Futures Trading Commission's ("CFTC" or "Commission") Division of Administration, 1155 21st Street, N.W., Washington, D.C. 20581. I have been a Digital Forensics Investigator with the CFTC since August 2018. Some of my routine duties involve preserving websites and other internet-related content to be used as evidence in Commission actions.

2. On April 28, 2023, at the request of staff from the CFTC's Division of Enforcement ("DOE"), I downloaded copies of the following URLs associated with the website at <https://myforexfunds.com/> ("MFF website") as they appeared on that date:

- <https://myforexfunds.com/>
- <https://myforexfunds.com/about/>
- <https://myforexfunds.com/contact/>
- <https://myforexfunds.com/meet-the-myforexfunds-staff-murtuza-kazmi-ceo/>
- <https://myforexfunds.com/accounts/rapid/>
- <https://myforexfunds.com/rapid-acc/>
- <https://myforexfunds.com/accounts/evaluation/>
- <https://myforexfunds.com/evaluation/>

- <https://myforexfunds.com/accounts/accelerated-program/> (with tab labeled “conventional” clicked on)
- <https://myforexfunds.com/accelerated-accounts-rules/>
- <https://myforexfunds.com/faq/which-countries-are-not-allowed-to-join-mff/>
- <https://myforexfunds.com/faq/how-much-is-the-commission/>
- <https://myforexfunds.com/faq/is-your-broker-regulated/>
- <https://myforexfunds.com/faq/what-are-the-available-instruments-i-can-trade/>
- <https://myforexfunds.com/list-of-instruments-and-contract-specifications/>
- <https://myforexfunds.com/faq/what-happens-if-a-violation-has-been-detected-on-myaccount/>

3. On June 14, 2023, at the request of DOE staff, I downloaded the following additional URLs from the MFF website, as they appeared on that date:

- <https://myforexfunds.com/myforexfunds-february-statistics>
- <https://myforexfunds.com/accounts/accelerated-program/> (with the tab labeled “emphatic” clicked on)
- <https://myforexfunds.com/checkout/>

4. On June 22, 2023, at the request of DOE staff, I downloaded the following additional URL from the MFF website:

<https://myforexfunds.com/faq/what-are-the-payout-withdrawal-options/>, as it appeared on that date.

5. I preserved the foregoing listed URLs from the MFF website using a program called “PageVault.” Once the URLs were preserved, I converted them to

Portable Document Format (“PDF”) files. The PDFs, which constitute true and accurate copies of the URLs from the MFF website, are attached hereto as Ex. C-1.

6. On August 7, 2023, at the request of DOE staff, I downloaded and analyzed source code for the MFF website’s “checkout” page, at <https://myforexfunds.com/checkout/>. The source code, which can be viewed using the “inspect elements” function of any modern internet browser, shows a number of “plugins” integrated into the checkout page. A plugin is a package of code that extends the functionality of a website. The checkout page of the MFF website integrates two particular plugins, referred to in the source code as “woocommerce-gateway-stripe” and “woocommerce-payments”. These plugins are provided by a company called WooCommerce, via WordPress. WordPress is a content management system that allows users to create and maintain websites and online stores. According to the WordPress website, these plugins allow users to “[a]ccept all major credit cards, plus local payment methods and popular digital wallets,” and “[s]ecurely accept major cards and subscriptions payments ....”

7. At the request of DOE staff, I downloaded and preserved copies of the source code from the MFF website checkout page. Also at the request of DOE staff, I downloaded and preserved copies of relevant URLs from the WordPress website. Once these items were preserved, I converted them to PDF files. The

PDFs, which constitute true and accurate copies of the foregoing items, are attached hereto as Ex. C-2.

8. On June 22, 2023, at the request of DOE staff, I downloaded and preserved copies of the website at [www.deel.com](http://www.deel.com). Once this URL was preserved, I converted it to a PDF file. The PDF, which constitutes a true and accurate copy of the URL, is attached hereto as Ex. C-3.

9. On June 22, 2023, at the request of DOE staff, I downloaded and preserved copies of the website at <https://www.coinbase.com/commerce>. Once this URL was preserved, I converted it to a PDF file. The PDF, which constitutes a true and accurate copy of the URL, is attached hereto as Ex. C-4.

I declare under penalty of perjury that the foregoing is true and correct.

October 26, 2023

*Devin Malinowski*

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